

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

ROBERT L. CARTER

v.

JO ANNE B. BARNHARDT,
Commissioner of Social Security

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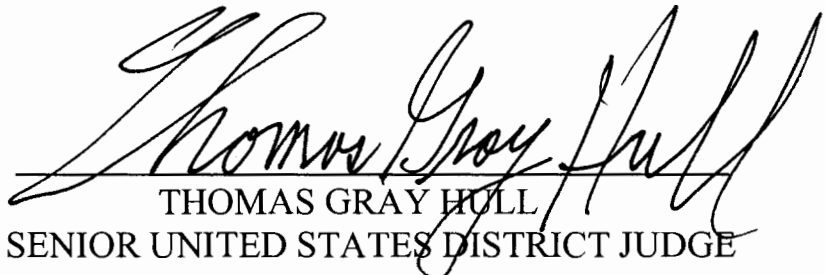
NO. 2:05-CV-49

J U D G M E N T

This is an action for judicial review of the final decision of the defendant Commissioner denying the plaintiff's application for supplemental security income and disability insurance benefits under the Social Security Act.

Pursuant to a memorandum opinion filed herewith, Mr. Carter's motion for summary judgment is **GRANTED IN PART** and the defendant's motion for summary judgment is **DENIED**. Pursuant to sentence four of 42 U.S.C. § 405(g), this action is **REMANDED** to the ALJ for further findings concerning the mental and physical demands of Mr. Carter's past relevant work as a dishwasher and busboy.

ENTER:


THOMAS GRAY HULL
SENIOR UNITED STATES DISTRICT JUDGE